

REMARKS

In the September 20, 2005 Office Action, claims 6-9 stand rejected in view of prior art. Claims 6-9 also were rejected for failing to indicate and to claim particularly and distinctly the subject matter that Applicants regard as the invention. In the September 20, 2005 Office Action, all of the claims stand rejected in view of prior art. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the September 20, 2005 Office Action, Applicants have amended claim 6 as indicated above. Further, Applicants have added claim 14 and amended the specification. Thus, claims 6-9 and 14 are pending, with claim 6 being the only independent claim. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Specification

Applicants have amended the specification. Specifically, paragraph [0070] has been amended to read that the amplification unit 410 and the mixing unit 430 are connected solely by the output terminal 403 and the third input terminal 409. Since this feature is clearly shown in Figure 4 of the present application, Applicants respectfully assert that no new matter has been added.

Claim Rejections - 35 U.S.C. §112

In item 2 of the Office Action, claim 6-9 was rejected under 35 U.S.C. §112, second paragraph. In response, Applicants have amended claim 6.

Specifically, it was stated that the term “the second terminal of the amplification unit” lacked antecedent basis. In response, the term has been amended to read -- the output terminal of the amplification unit --.

Applicants believe that the claims now comply with 35 U.S.C. §112, second paragraph. Withdrawal of the rejection is respectfully requested.

Rejections - 35 U.S.C. § 102

In item 4 of the Office Action, claims 6, 7, and 9 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,748,041 (Kimura). In response, Applicants have amended claim 6 to define clearly the present invention over the prior art of record.

In particular, independent claim 6 now recites that the mixing unit is arranged between a supply voltage and the amplification unit. In contrast, as seen in Figure 1 of Kimura, Kimura discloses that the supply voltage Vcc is directly connected to the amplification unit identified in the Office Action as Q3-5.

Clearly, this structure is *not* disclosed or suggested by Kimura or any other prior art of record. It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each element of the claim within the reference. Therefore, Applicants respectfully submit that claim 6, as now amended, is not anticipated by the prior art of record. Withdrawal of this rejection is respectfully requested.

Moreover, Applicants believe that dependent claims 7, 8, and 9 are also allowable over the prior art of record in that they depend from independent claim 6, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art

of record does not anticipate the independent claim 6, neither does the prior art anticipate the dependent claims.

Applicants respectfully request withdrawal of the rejections.

Rejections - 35 U.S.C. § 103

In item 6 of the Office Action, claim 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,748,041 (Kimura) in view of U.S. Patent No. 6,147,559 (Fong). In response, Applicants have amended independent claim 6.

In particular, independent claim 6 now recites that the mixing unit is arranged between a supply voltage and the amplification unit. In contrast, as seen in Figure 1 of Kimura, Kimura discloses that the supply voltage is directly connected to the amplification unit.

Moreover Fong, which is referenced to show a capacitor connecting first and second terminals of an amplification element, also fails to disclose or suggest this feature. Since neither reference discloses or suggests this feature, the combination thereof also fails to disclose or to suggest this feature.

Clearly the arrangement of claim 6 is ***not*** disclosed or suggested by the prior art of record. It is well settled in U.S. patent law that the mere fact that the prior art can be modified does ***not*** make the modification obvious, unless the prior art ***suggests*** the desirability of the modification. Accordingly, the prior art of record lacks any suggestion or expectation of success for combining the patents to create the Applicants' unique arrangement of a mixer circuit.

Moreover, Applicants believe that the dependent claim 8 is also allowable over the prior art of record in that it depends from independent claim 6, and therefore is allowable for

Appl. No. 10/775,234
Amendment dated March 13, 2006
Reply to Office Action of September 20, 2005 and
Advisory Action of January 11, 2006

the reasons stated above. Also, the dependent claim is further allowable because it includes additional limitations. Thus, Applicants believe that since the prior art of record does not disclose or suggest the invention as set forth in independent claim 6, the prior art of record also fails to disclose or suggest the invention as set forth in the dependent claim.

Therefore, Applicants respectfully request that this rejection be withdrawn in view of the above comments and amendments.

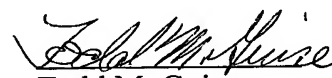
New Claims - 14 and 15

Applicants have added new claims 14 and 15, which depend on claim 6, which Applicants believe to be allowable for the aforementioned reasons. Examination and consideration are respectfully requested.

* * *

In view of the foregoing amendment and comments, Applicants respectfully assert that claims 6-9, 14, and 15 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,


Todd M. Guise
Reg. No. 46,748

SHINJYU GLOBAL IP COUNSELORS, LLP
1233 Twentieth Street, NW, Suite 700
Washington, DC 20036
(202)-293-0444
Dated: 3/13/06
G:\02-Feb06-NAT\6K-US045033 Amendment